

DETAILED ACTION

Notice to Applicant

This communication is in response to the communication filed 03/06/2002.

Pending claim(s): 1-13.

Drawings

The drawings were received on 03/06/2002. These drawings are acceptable.

Claim Objections

Claim 10 is objected to because of the following informalities: “.XML”.

Claim 11 is objected to because of the following informalities: “.SGML”.

The use of acronym may subject the claim to alternate interpretations.

Appropriate correction is requested.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim(s) 1-13 is/are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "a plurality of sources" in line 11. There is insufficient antecedent basis for this limitation in the claim. "a plurality of sources" has been previously recited in line 4.

For purposes of applying prior art, Examiner interprets these limitations to recite any sources.

All claims dependent thereon, namely claims 2-12, fail to remedy these deficiencies, and are therefore rejected for at least the same rationale above, and incorporated herein.

As per claim 13, this claim is rejected for similar rationale as applied to claim 1 above, and incorporated herein.

Additional clarification is requested.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim(s) 1-4, 6-7, 12-13 is/are rejected under 35 U.S.C. 102(e) as being anticipated by Ghosh (20010032094).

As per claim 1, Ghosh teaches a method (Title) capable of providing efficiencies (page 7 paragraph 0083) in collecting (page 4 paragraph 0051), organizing (page 3 paragraph 0032), and providing data (page 8 paragraph 0083) from an insurance company (Abstract), comprising:

- (a) creating a profile for the agency (page 3 paragraph 0034);
- (b) using the Internet (reads on "an open computer network") (page 2 paragraph 0029) to obtain fixed format and ad-hoc reports (reads on "a plurality of resources") (page 3 paragraph 0036) based on the agency's state and user preference (page 3 paragraph 0034), wherein the reports are forms to be submitted to a regulatory agency (reads on "filing requirements") (page 3 paragraph 0035-0036) and the report comprises:

- (i) pre-licensing and other requirements (reads on "cross-check formulae") (page 4 paragraph 0052);

- (ii) a form (reads on "submission format requirements") (page 4 paragraph 0049, 0052);

- (iii) compliance requirements (reads on "required insurance company data") (page 4 paragraph 0052);

- (c) software capable of automatically populating the reports (reads on "a data collection template") (page 3 paragraph 0036, page 4 paragraph 0049);

(d) updating the report formats and software logic associated therewith based on changes in state requirements (reads on “periodically”) (page 4-5 paragraph 00540);

(e) automatically populating forms with relevant extracted data (page 4 paragraph 0049);

(f) applying pre-licensing and other requirements to the report (page 4 paragraph 0052);

(g) generating reports based on agency data for submission to the regulatory agency (page 4 paragraph 0049, 0052);

(h) providing on-line applications and information sharing (page 7 paragraph 0078) to a licensing authority (page 7 paragraph 0083);

(i) creating a plurality of agent and company profiles (Figure 1 label 20, 30);

(j) identifying banks and other financial institutions interested in viewing insurance certifications (page 7 paragraph 0078);

(k) providing access to the banks and institutions via the internet (page 7 paragraph 0078).

As per claims 2-3, Ghosh teaches storing the agency’s state (reads on “jurisdictions”) and service offerings (page 3 paragraph 0034-0035).

As per claim 4, Ghosh teaches the Internet (page 2 paragraph 0029).

As per claims 6-7, Ghosh teaches extract data regarding the agency through a search or query (reads on “a query-based data entry system”) (page 4 paragraph 0049). Ghosh further teaches a RDMBS (page 2 paragraph 0026).

As per claim 12, Ghosh teaches information sharing (page 7 paragraph 0078).

Examiner considers exchanging information to be “a fee”, wherein the shared information has value.

As per the set of claim(s): 13, this set of claim is rejected for substantially the same rationale as applied to the rejection of the set of claim(s): 1, respectively, and incorporated herein.

In particular, Ghosh teaches that the user can search the system (page 2 paragraph 0027), wherein the system is implemented by a RDBMS (reads on “a plurality of searchable files”) (page 2 paragraph 0026).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claim(s) 5, 8-11 is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Ghosh in view of Official Notice.

As per claim 5, Ghosh teaches obtaining regulatory requirements from state and federal authorities (page 4-5 paragraph 0054).

Ghosh does not teach “state insurance regulator web sites”.

Official Notice is taken that publishing regulatory requirements on a Web site by a state regulatory agency is old and well established.

At the time the invention was made, it would have been obvious to one of ordinary skill in the art to include the teachings of the Official Notice within the embodiment of Ghosh with the motivation of promulgating laws (Ghosh; page 5 paragraph 0054).

As per the set of claim(s): 8, this set of claim is rejected for substantially the same rationale as applied to the rejection of the set of claim(s): 5, respectively, and incorporated herein.

In particular, Ghosh teaches prompting for user entry based on updated information (page 5 paragraph 0059).

As per claim 9, Ghosh teaches monitoring the licensing status of an agent, and determining when the agent is no longer entitled to do business with that particular state (page 5 paragraph 0063).

Ghosh further teaches providing ad-hoc reports (page 3 paragraph 0036).

Ghosh does not teach “enter an explanation for non-compliance”.

Official Notice is taken that petitioning or appealing a decision of legal non-compliance is old and well established in the art of insurance legislation.

At the time the invention was made, it would have been obvious to one of ordinary skill in the art to include the teachings of the Official Notice within the embodiment of Ghosh with the motivation of documenting facts in support of the petition or appeal.

As per claims 10-11, Ghosh does not teach “.XML” or “SGML”.

Official Notice is taken that XML and SGML are old and well established in the art of computer programming.

All component parts are known. The only difference is the combination of “old elements” into a single embodiment.

At the time the invention was made, it would have been obvious to one of ordinary skill in the art to include the teachings of the Official Notice within the

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embodiment of Ghosh, since the operation of XML/SGML is in no way dependent on the insurance compliance system, and a standard programming language may be used with an application to achieve the predictable result of implementing the application for hardware processing.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Burakoff (6122635) teaches mapping compliance data into a plurality of formats.

Powers (5956691) teaches analyzing insurance policies for NAIC compliance.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tran (Ken) N. Nguyen whose telephone number is 571-270-1310. The examiner can normally be reached on Monday - Friday, 9:00 am - 5:00 pm Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, C. Luke Gilligan can be reached on 571-272-6770. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/T. N./

Examiner, Art Unit 3626

06/20/2008

/C Luke Gilligan/

Supervisory Patent Examiner, Art Unit 3626